

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARIO MARTINEZ PALAYO,

Petitioner,

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JERRY HOWELL, *et al.*,

Respondents.

Case No. 2:20-cv-01877-KJD-BNW

ORDER

Mario Martinez Palayo, an individual incarcerated at Nevada's Southern Desert Correctional Center, has submitted a *pro se* petition for writ of habeas corpus, under 28 U.S.C. § 2241, complaining that the Respondents have “fail[ed] to apply good-time, sick-time and statutory credits to the minimum of [his] sentence.” Petition for Writ of Habeas Corpus (ECF No. 1-1), p. 1. Palayo paid the filing fee for this action on December 10, 2020 (ECF No. 4). The petition will, therefore, be filed.

While reserving judgment regarding the procedural viability and merits of Palayo's petition, the Court determines that it warrants a response by the Respondents. Respondents will be served with the petition and will be directed to respond. See 28 U.S.C. § 2243.

IT IS THEREFORE ORDERED that the Clerk of the Court is directed to separately file the petition for writ of habeas corpus (now filed at ECF No. 1-1).

IT IS FURTHER ORDERED that the Clerk of the Court is directed to add Aaron D. Ford, Attorney General of the State of Nevada, as counsel for Respondents.

IT IS FURTHER ORDERED that the Clerk of the Court is directed to electronically serve upon Respondents a copy of the petition for writ of habeas corpus (ECF No. 1-1), and a copy of this order.

1 **IT IS FURTHER ORDERED** that Respondents will have 30 days from the date of
2 this order to file a notice of appearance.

3 **IT IS FURTHER ORDERED** that Respondents will have 60 days from the date of
4 this order to answer or otherwise respond to the petition.

5 **IT IS FURTHER ORDERED** that, if Respondents file an answer, Petitioner will
6 have 60 days from the date on which the answer filed to file a reply. If Respondents file
7 a motion to dismiss, Petitioner will have 60 days from the date on which the motion is
8 filed to file a response to the motion to dismiss, and Respondents will, thereafter, have
9 30 days to file a reply.

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11 DATED THIS 17 day of November, 2020.

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KENT J. DAWSON,
15 UNITED STATES DISTRICT JUDGE

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